

REMARKS

This communication is responsive to the Office Action mailed July 7, 2004. Applicant respectfully requests the Examiner to enter the above-submitted amendments, and to consider the below-submitted remarks.

Abstract

Applicant submits herewith a new Abstract. The language of the new Abstract is clear and concise, including being fewer than 150 words in length.

Indefiniteness Rejections

Clams 3 and 19 have been amended to remove the "such as" phrases".

Art-Based Rejections

Some of the claims are rejected as being anticipated by Robertson, whereas others of the claims are rejected as being obvious over the combination of Robertson and Call or Robertson and Loeb. It is respectfully submitted that Robertson does not disclose at least some of the elements of the claims rejected as anticipated by Robertson. In addition, the obviousness rejections rely on the same premise with regard to Robertson as the Examiner asserts in making the anticipation rejection. Thus, it is respectfully submitted that the combination of Robertson with either Call or Loeb fails to disclose the subject matter recited in the claims rejected as being obvious.

First, the Examiner contends that Robertson discloses "second memory means that stores a password used to authenticate a giver who desires to give the gift on a network." The Examiner cites to Fig. 15, item 260; Fig. 8; and col. 11, lines 54-58. However, it is respectfully submitted that the passwords to which the Examiner refers are used to authenticate gift recipients, not gift givers. Figure 15, item 260, is an icon for a gift giver to "log on." The system's reaction to a user activating this icon 260 is described at col. 20, lines 54-58. Each of the activities the user can perform after "logging on" are related to receiving gifts (e.g., registering reminders, registering occasions and registering "wish lists").

Fig. 8, cited by the Examiner, does disclose gift giving activities, but Fig. 8 does not disclose anything that can be construed as a "password used to authenticate a giver who desires to give the gift on the network." Col. 11, lines 54-58, do not appear to relate to passwords at all.

In any event, Applicant can find nothing in Robertson, even beyond those portions cited by the Examiner, that appears to disclose the "second memory means" recited in Applicant's claim 1.

It further follows, then, that Robertson also fails to disclose the "wish list reference means," since the wish list reference means is recited as allowing "the wish list to be referred to

by access via the network using the password stored in said second memory means." The Examiner references Fig. 21, item 350, as well as referencing Fig. 28. Fig. 21, item 350, is an icon for "Wish List Maintenance," which is described at col. 21, lines 7-11, as being to "allow the user to add, modify, and delete items they would like to receive." This is thus for gift receivers, and not for gift givers. Fig. 28, cited by the Examiner, discloses a user screen for "Wish' List Maintenance," for receivers and not for givers.

Furthermore, as with the "second memory means," Applicant can find nothing in Robertson, even beyond those portions cited by the Examiner, that appears to disclose the "wish list reference means" recited in Applicant's claim 1.

In addition, while the Examiner has not relied on the secondary references (Call or Loeb) as disclosing the "secondary memory means" or "wish list reference means," Applicant nonetheless respectfully contends that the secondary references do not disclose these feature recited in the claims.

For at least the above reasons, then, Applicant respectfully submits that the anticipation and obviousness rejections are insufficient and should be withdrawn.

CONCLUSION

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Alan S. Hodes
Reg. No. 38,185

P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300